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March 25, 2008

The Honorable Michael B. Mukasey
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Attorney General Mukasey:

We were troubled to learn last week that the passport files of all three presidential candidates were breached by State Department contractors. This revelation raises concerns about possible violations of Federal laws meant to protect Americans' privacy.

According to recent news reports, the Department of Justice has yet to begin an investigation into the passport breaches or the possibility that private information about the candidates may have been illegally disclosed. Last Friday during a press briefing, you indicated that the Department would await completion of the State Department's Inspector General's inquiry and a referral before taking any action.

While we are pleased that the State Department now appears to be taking these breaches seriously, the Justice Department's critical law enforcement function need not and should not await completion of the State Department's internal probe. We ask that you take immediate action to look into this matter, and inform us what preliminary steps the Department is taking to determine whether these passport file breaches involved the violation of Federal laws, and to make sure that any evidence of possible violations by current or former contractors is being preserved.

We both strongly believe that our government has a duty to protect the private information of its citizens. The Justice Department should not wait to be handed "a box full of evidence," as you said at your recent briefing, before determining whether Federal laws were broken.

Sincerely,



PATRICK LEAHY
Chairman



ARLEN SPECTER
Ranking Member